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JULY 23, 2018

McKenzie v. City of NY, et al., No. 17 Civ. 4899 (PAE)

Dear Judge Moses:

I am Plaintiff's Counsel in the above-captioned Section 1983 case alleging, among other claims, false arrest, malicious prosecution and excessive force.

I write with the Parties' joint motion to adjourn the July 31, 2018, settlement conference.

The Parties seek this adjournment because although discovery in the case continues to advance well, our progress was briefly interrupted by a recent paper discovery dispute that became the subject of motion practice before Judge Engelmayer.

On July 16, 2018, Judge Engelmayer issued an Order in connection with the motion. Defendants mailed the first batch of responsive records last week, with supplemental production to come. The Parties have begun scheduling the balance of non-party and Party depositions.

Given these recent events, when the Parties conferred about settlement pursuant to the Court's Settlement Conference Scheduling Order, we found that the significant gap in our settlement negotiations remains such that the July 31, 2018, conference likely will not be productive before we make more pretrial progress which Judge Engelmayer's Order has now set in motion. (In a separate motion we will file later today, we have also requested an extension of the overall pretrial schedule from Judge Engelmayer.)

In light of the foregoing, the Parties respectfully submit this joint motion to adjourn the July 31, 2018, settlement conference. We propose the following dates for the rescheduled proceeding: September 26-27, or October 1-3, 2018.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan Lozar'.

Ryan Lozar